

Issue: Consolidation of grievances for a single hearing; Ruling Date: April 17, 2013; Ruling No. 2013-3585; Agency: Department of Social Services; Outcome: Consolidation granted.



*COMMONWEALTH of VIRGINIA*  
*Department of Human Resource Management*  
*Office of Employment Dispute Resolution*

**CONSOLIDATION RULING**

In the matter of the Department of Social Services  
Ruling Number 2013-3585  
April 17, 2013

This ruling addresses the consolidation of the grievant's two grievances filed with the Department of Social Services (the agency). For the reasons discussed below, the Office of Employment Dispute Resolution ("EDR") finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The two grievances at issue are 1) a February 22, 2013 grievance regarding a Group II Written Notice (Grievance Hearing Case No. 10085), and 2) a March 4, 2013 dismissal grievance concerning the grievant's disciplinary termination (Grievance Hearing Case No. 10056). Both grievances have been submitted to EDR for appointment of a hearing officer.

DISCUSSION

Approval by EDR, in the form of a compliance ruling, is required before two or more grievances may be consolidated in a single hearing. Moreover, EDR may consolidate grievances for hearing without a request from either party.<sup>1</sup> EDR strongly favors consolidation and will consolidate grievances when they involve the same parties, legal issues, policies, and/or factual background, unless there is a persuasive reason to process the grievances individually.<sup>2</sup>

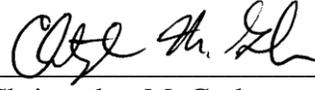
EDR finds that consolidation of the grievant's February 22, 2013 and March 4, 2013 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances all relate to disciplinary actions issued to the grievant that led to her termination. Further, we find that consolidation is not impracticable in this instance. Therefore, the grievant's February 22, 2013 and March 4, 2013 grievances are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

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<sup>1</sup> *Grievance Procedure Manual* § 8.5.

<sup>2</sup> *See id.*

EDR's rulings on compliance are final and nonappealable.<sup>3</sup>



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Christopher M. Grab  
Director  
Office of Employment Dispute Resolution

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<sup>3</sup> See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).